

Remarks/Arguments:

Claims 25-27 have been rejected under 35 U.S.C. § 102(e) as being anticipated by Lett (US 5,592,551). It is respectfully submitted, however, that these claims are now patentable over the art of record for the reasons set forth below.

Applicant's invention, as recited by claim 25, includes a feature which is neither disclosed nor suggested by the art of record, namely:

... a first charge amount for providing the audio/video information is decided ... to record the audio/video information; and

... a second charge amount different than the first charge amount for providing the audio/video information is decided ... to display the audio/video information without recording the audio/video information.

Fig. 9 of Lett discloses the ability to select three options, namely 1) purchase (\$4.95); 2) record; and 3) watch. The record and watch functions, if selected, might be free. If the recording or watching requires a fee, however, the user is then requested to enter payment before recording or watching can occur. This procedure is described in the Lett patent at col. 14, lines 47-61, and particularly, lines 53 and 54.

In other words, in Lett, Pay-Per-View requires the payment of a fee for recording or watching. Non-pay-per-view channels (i.e., free programs do not require a fee) regardless of whether or not the program is being viewed or recorded.

Applicant's claim 25 is different than Lett because of the feature of the first charge amount to record the information and a second charge amount to display the information without recording the information.

This feature is described in the original patent at col. 3, lines 56-61. No new matter has been added.

Accordingly, claim 25 is patentable over the art of record.

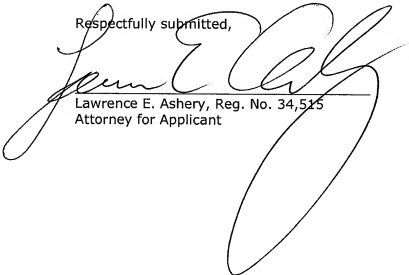
Claims 26 and 27 are patentable by virtue of their dependency on allowable claim 25.

Application No.: 09/631,540
Amendment Dated: August 20, 2009
Reply to Office Action of: July 7, 2009

MAT-3720US2

In view of the amendments and arguments set forth above, the above-identified application is in condition for allowance, which action is respectfully requested.

Respectfully submitted,



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Attachment: Status of Claims

Dated: August 20, 2009

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STATUS OF CLAIMS AND
SUPPORT FOR CLAIM CHANGES

CLAIM

STATUS

1-24.	Cancelled.
25.	Pending: Column 3, line 56 - Column 4, line 3.
26.	Pending: Column 3, line 56 - Column 4, line 3.
27.	Pending: Column 3, line 56 - Column 4, line 3.